IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)) Criminal Action) No. 07-CR-689
VS.) NO. 07-CK-009
JAMES LENEGAN, also known as "Boo",)
JOHN MALLOY, also known as "Tow Pro",)
Defendants)

ORDER

NOW, this 4th day of June, 2009, upon consideration of the following documents:

- (1) Motion for Judgment of Acquittal Pursuant to Federal Rule of Criminal Procedure 29(c), which motion was filed January 16, 2009 by defendant James Lenegan;
- (2) Motion for Joinder in Co-Defendant's Motion for Judgment of Acquittal Pursuant to Federal Rule of Criminal Procedure 29(c), which motion was filed January 16, 2009 by defendant John Malloy;
- (3) Government's Opposition to Defendants' Motion for Judgment of Acquittal Pursuant to Federal Rule of Criminal Procedure 29(c), which opposition was filed January 26, 2009;

and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that the Motion for Joinder in Co-Defendant's Motion for Judgment of Acquittal Pursuant to Federal Rule of Criminal Procedure 29(c) is granted.

The motion for joinder is granted insofar as I will consider motion for judgment of acquittal as having been filed on behalf of both defendants, but my granting of the motion for joinder does not constitute a determination on the merits of defendant Malloy's request for Rule 29(c) relief.

IT IS FURTHER ORDERED that the Motion for Judgment of Acquittal Pursuant to Federal Rule of Criminal Procedure 29(c) is denied as to both defendants James Lenegan and John Malloy.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge